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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/016,398	12/10/2001	Raymond H. Riner	GRD0126.US	4852
7590	06/29/2004		EXAMINER	
Todd T. Taylor TAYLOR & AUST, P.C. 142 S. Main St. P.O. Box 560 Avilla, IN 46710			ESTRADA, ANGEL R	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 06/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/016,398	RINER, RAYMOND H.	

  

<b>Examiner</b>	<b>Art Unit</b>	
Angel R. Estrada	2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 13 May 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-3 and 5-15 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-3 and 5-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
  - a) The translation of the foreign language provisional application has been received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ .
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) <input type="checkbox"/> Other: _____ .

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-3 and 5-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 lines 7-8, "said at least one pass through connector releasably directly connected to said electrical cable connector", confusing and unclear. The Examiner does not know what is referred by "releasably directly"; in addition this limitation has no support in the specification. The Examiner is assuming that the term "releasably directly" means that the cable connector can be connected and disconnected from the pass through connector.

Claim 10 lines 4-5, "said pass through connector being releasably directly connected to said electrical cable connector" confusing and unclear. The Examiner does not know what is referred by "releasably directly"; in addition this limitation has no support in the specification. The Examiner is assuming that the term "releasably directly" means that the cable connector can be connected and disconnected from the pass through connector.

Claims 2, 3, 5-9 and 11-15 are included because of their dependency.

Any further rejections of claims 1-3 and 5-15 in this office action are based on claims 1-3 and 5-15, as they are understood by the examiner.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 9-12, 14 and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Domigan (US 4,536,612).

Regarding claim 1, Domigan discloses an underfloor receptacle box system (see figure 1), comprising an electrical cable connector (see figure 2), and a mating power connector (not shown); a housing (2) having a plurality of openings including a first opening (top opening defined by the box) and a second opening (see figure 1); a lid (not shown but mentioned in column 2 lines 42-44) detachably attached to said housing (see figure 1) substantially closing said first opening (see figure 1 and 4); at least one pass-through connector (27); said at least one pass-through connector (27) being at least partially disposed in said second opening (see figure 1); said at least one said pass-through connector (27) being releasably directly connected to said electrical cable connector (see figure 2, or 21 of Benscoter\*) on the inside of said housing and to said mating power connector (see figure 17 of Benscoter\*) on the outside of said housing (see figure 2); an insert (defined by the reference numbers 15,17 and 20) having at least one angled wall (see figure 1 and 2), said insert (15,17,20) being removably connected to said housing (see figure 1), said insert (15,17,20) having a continuous wireway between said at least one angled wall and said housing (see figure 2).

\*Note: The Domigan reference (US 4,536,612) does not provide a detailed description of the pass through connector (27); the reference disclose in column 2 lines 17-21, that the wire connections (27,28) are of a kind shown in copending application of Benscoter et al (US 4,857,016), previously cited.

Regarding claim 2, Domigan discloses the system (see figure 1), further comprising at least one of an electrical power receptacle (21,22), a telecommunication receptacle and a data receptacle connected to said insert (see figure 2).

Regarding claim 3, Domigan discloses the system (see figure 1), wherein said electrical power receptacle (21,22) is electrically connected to said electrical cable connector (see figure 2).

Regarding claim 5, Domigan discloses the system (see figure 1), wherein said housing (2) has at least one additional opening (40,41) configured for the passage into said housing (see figure 2) of at least one of electrical power, telecommunication and data cables (column 2 lines 32-35).

Regarding claim 9, Domigan discloses the system wherein said at least one angle wall (15,17) of said insert being two angled walls (15,17) and said insert includes a bottom (20) attached between said two angled walls (see figure 2) and said wireway continuous between said bottom and said housing (see figure 2).

Regarding claim 10, Domigan discloses a method of reconfiguring an underfloor receptacle box system (see figure 1), comprising the steps of removing a mounting assembly (9) from the underfloor receptacle box (2); disconnecting an electrical cable connector (see figure 2) from a pass through connector (27,28), said pass through connector (27,28) being connected to said electrical cable connector (see figure 2) on the inside of the underfloor receptacle box (see figure 2) and a mating power connector

(not shown) on the outside of the underfloor receptacle box (see figure 2); installing a pre-configured mounting assembly (9) into the underfloor receptacle box (see figure 2).

Regarding claim 11, Domigan discloses the method (see figure 1), wherein said removing step includes the steps of detaching said mounting assembly (9) from a housing of the underfloor receptacle box (see figure 2); and unplugging at least one of said electrical cable connector (see figure 2).

Regarding claim 12, Domigan discloses the method (see figure 1), wherein said installing step includes the sub-steps of connecting at least one of said electrical connector (21,22), said data connector and said telephone connector (see figure 2) to said mounting assembly (9); and attaching said mounting assembly (9) to said housing (see figure 1 and 2).

Regarding claim 14, Domigan discloses the method (see figure 1), further comprising the steps of removing at least one receptacle (21) from said mounting assembly (9); and attaching at least one receptacle (22) to said mounting assembly (see figure 2).

Regarding claim 15, Domigan discloses the system (see figure 1), wherein at least one said pass-through connector (61) is interconnected to one of electrical power, data and telecommunication cable (see figure 1).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-8 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domigan (US 4,536,612) in view of Bowman (US 4,967, 041).

Regarding claim 6, Domigan discloses claimed invention except for said lid having at least one slot along at least one edge, said at least one slot providing for the passage of electrical interconnections into said housing. Bowman teaches an underfloor receptacle box (see figure 1) having a lid (93) with at least one slot (see figure 9) along at least one edge, said at least one slot (see figure 9) providing for the passage of electrical interconnections into said housing (see figure 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to Domigan with a lid having at least one slot for the passage of electrical interconnections into said housing as taught by Bowman to provide the lid with a passageway for cables.

Regarding claim 7, Bowman teaches the underfloor receptacle box (see figure 1), wherein said lid (93) includes a bezel (70) that is detachably connected to said housing (column 3 line 66-column 4 line 2), said lid (93) hingebally connected to said bezel (column 4 line 23-30), said bezel (70) having at least one retaining hook (110) which contacts with said at least one slot (see figure 4) thereby retaining electrical conductors (see figure 4).

Regarding claim 8, Domigan discloses the system (see figure 1), wherein said housing portion is configured to be mounted below a finished floor level (see figure 2),

said bezel (as taught by Bowman) being substantially at said finished floor level (see figure 1 of Bowman) and connected to said housing.

Regarding claim 13, Domigan discloses claimed invention except for the step of removing a bezel with a hingedly lid. Bowman teaches an underfloor receptacle box (see figure 1) having a lid (93) with a bezel (70); the bezel can be removed with a hingedly attached (93) from the box. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide to Domigan with a step of removing a bezel with a hingedly attaching lid from the box as taught by Bowman to provide a step that will removed the bezel from the box to provide the user with access to the mounting assemblies located inside the box.

### ***Response to Arguments***

4. Applicant's arguments filed in the RCE on May 13, 2004 have been fully considered but they are not persuasive.

In response to the Applicant's argument, the applicant argues that Domigan (US 4,536,612) does not teach or suggest a pass through connector releasably directly connected to said electrical cable connector on the inside of the box, the Examiner disagrees and points out that Domigan discloses at least one pass through connector (27) being partially disposed in the second opening (see figure 1) and being releasably directly connected to said electrical cable connector (since the cable connector can be connected and disconnected from the pass through connector (27)). For background,

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see Benscoter et al, US 4,857,016 (cited by Domigan). This reference clearly discloses the cable and pass through connector connection.

***Conclusion***

5. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on (571) 272-2800 Ext: 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Angel R. Estrada

June 21, 2004

*Dean A. Reichard 6/24/04*  
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